

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERALD HOWARD BURGESS,

Defendant.

Case No. CR-S-2:00-CR-00379-KJD-LRL

ORDER

Pending before the Court are Defendant's Motion to Vacate Judgment (#175), Motion for Summary Judgment/Injunctive Relief (#176), Motion to Vacate Judgment (#183), Motion to Comply (#185), Motion to Show Cause (#187), Motion for Default Due to Lack of Jurisdiction (#188) and Motion to Comply and Execute Release (#191). The Government has opposed these Motions (## 182, 184, 186, 190 and 192). The Motions and oppositions are considered together herein.

The docket indicates that Defendant is represented by Glynn Cartledge. Defendant's pending motions were all filed *pro se*. Local Rule IA 10-6(a) provides that "[a] party who has appeared by attorney cannot while so represented appear or act in the case." Ms. Cartledge's representation has not been terminated. Accordingly, each of Defendant's motions is improper.

Further, upon review of the Defendant's motions, the Court finds them entirely lacking in merit. Each of Defendant's motion centers around the unintelligible argument that this Court lacks

1 jurisdiction over him because he is a citizen of the Republic of Nevada. Defendant's crimes were
2 committed in the District of Nevada. See United States v. Lorenzo, 995 F.2d 1448, 1456 (9th Cir.)
3 (district court has criminal jurisdiction over Hawaiian residents who claim that they are citizens of
4 the Sovereign Kingdom of Hawaii and not of the United States); See also United States v. Tuuri, 26
5 F.3d 135 (9th Cir. 1994) (rejecting argument that district court lacked jurisdiction over defendant
6 because he was "citizen of the Republic of California").

7 Accordingly, **IT IS HEREBY ORDERED THAT** Defendant's Motion to Vacate Judgment
8 (#175) is **DENIED**.

9 **IT IS FURTHER ORDERED THAT** Defendant's Motion for Summary
10 Judgment/Injunctive Relief (#176) is **DENIED**.

11 **IT IS FURTHER ORDERED THAT** Defendant's Motion to Vacate Judgment (#183) is
12 **DENIED**.

13 **IT IS FURTHER ORDERED THAT** Defendant's Motion to Comply (#185) is **DENIED**.

14 **IT IS FURTHER ORDERED THAT** Defendant's Motion to Show Cause (#187) is
15 **DENIED**.

16 **IT IS FURTHER ORDERED THAT** Defendant's Motion for Default Due to Lack of
17 Jurisdiction (#188) is **DENIED**.

18 **IT IS FURTHER ORDERED THAT** Defendant's Motion to Comply and Execute Release
19 (#191) is **DENIED**.

20 **IT IS FURTHER ORDERED THAT** any further action in this case shall be taken by
21 Defendant's attorney of record in compliance with Local Rule IA 10-6(a).

22 DATED this 13th day of October 2011.

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26 Kent J. Dawson
United States District Judge